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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,336	09/16/2003	Hiroaki Sakakura	25702	9254

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NATH & ASSOCIATES
1030 15th STREET, NW
6TH FLOOR
WASHINGTON, DC 20005

EXAMINER

ZANELLI, MICHAEL J

ART UNIT PAPER NUMBER

3661

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/662,336

Applicant(s)

SAKAKURA, HIROAKI

Examiner

Michael J. Zanelli

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/16/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/16/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The application filed 9/16/03 has been examined. Claims 1-4 are pending.
2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
3. The IDS filed 9/16/03 has been considered.
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Applicant cannot rely upon the foreign priority papers to overcome the following rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Ieda et al. (US 20040075531).

A. As per claim 1, Ieda discloses a vehicle locking/unlocking system (Fig. 1) which includes an onboard controller (44) which controls the locking/unlocking of the vehicle doors as well as controlling a transmitter (41) and a receiver (43); a portable machine (Fig. 2) which communicates with the onboard controller; and a display (24) which is controlled by the onboard controller (44) and provides confirmation that the door is locked during a confirmation period [0039-0040].

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B. As per claims 2 and 3, as above wherein an LED is located in the vicinity of the door handle and is illuminated during the locking confirmation period (Fig. 4; [0008]).

A switch in the door handle causes an ID request to be transmitted to the portable machine [0033-0037].

C. As per claim 4, as above wherein a door opening/closing detecting unit (52) provides door status information to the onboard controller (44).

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 2 and 4 are further rejected under 35 U.S.C. 103(a) as being unpatentable over (Okada (JP2002-030845) or Luebke et al (US006034617)) in view of (Baset (US006703919), Tang et al. (US006724322) and Bodley-Scott et al. (US006290269)).

A. As per claims 1 and 2, Okada discloses a passive remote key entry system for a vehicle in which after the door has been locked, a confirmation period allows one to lift the door handle to check if the door is in fact locked without the system interpreting the action as a request to unlock the door (see Abs as well as applicant's description of this "conventional" system at pages 1-4 of the specification). Luebke also discloses a similar passive remote key entry system (Fig. 1) and provides a period of time after locking the door in which the user may lift the door handle without causing the system to unlock the door (col. 5, lines 19-34). Neither system provides a display which

indicates the door lock confirmation period (i.e., the period in which the user may lift the handle without causing the door to be unlocked).

B. However, at the time of applicant's invention it was well-known in the vehicle passive/active remote key entry art to provide visual and/or audio indications/feedback of the system operations/status. For example, Baset (Abs; col. 3, lines 23-27), Tang (col. 1, lines 44-57; col. 2, lines 39-41) and Bodley-Scott (Fig. 6) disclose using LEDs and other display indicators, both in the portable machine and on the vehicle, to inform the user as to completion of a requested operation and/or the current status of the system. One of ordinary skill in the art would have found it obvious to include such indicators in the passive remote key systems noted above because it would have provided the user with an indication of the system's current status.

C. As per claim 4, as above wherein sensors may be provided to indicate the opening/closing status of the vehicle's doors (see as exemplary Baset, col. 3, lines 11-13).

8. Claim 3 is further rejected under 35 U.S.C. 103(a) as being unpatentable over (Okada or Luebke et al.) in view of (Baset, Tang et al. and Bodley-Scott et al.) as applied to claim 1 above, and further in view of Huizenga (US20030095416) and Cadman (FR2724613).

A. The prior art is applied as noted above relative to claim 1. The claimed invention differs in that the display is provided in the vicinity of the door handle with the request switch for transmitting a request to the portable machine for an ID code.

B. At the time of applicant's invention it was well-known in the vehicle passive/active remote key entry art to provide visual indicators (i.e., LEDs) integrated

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into the door handle assembly to inform the user of the current status of the system.

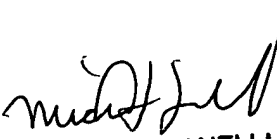
For example, Huizenga discloses LEDs incorporated into the door handle assembly (Figs. 3,6) to indicate the status of the entry/security system [0039-0040] whereas Cadman discloses incorporating different colored lights in the door handle to confirm whether the door is locked/unlocked (Abs.). One of ordinary skill in the art would have found it obvious to locate the display indicators in the vicinity of the door handle because such placement was well-known in the art.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited documents are of general interest.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Zanelli whose telephone number is (703) 305-9756. The examiner can normally be reached on Monday-Thursday 5:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MICHAEL J. ZANELLI
PRIMARY EXAMINER

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